

Town of Merrimack, New Hampshire

Community Development Department 6 Baboosic Lake Road Town Hall - Lower level - East Wing 603 424-3531 Fax 603 424-1408 www.merrimacknh.gov

Planning - Zoning - Economic Development - Conservation

RESULTS OF MERRIMACK ZONING BOARD OF ADJUSTMENT WEDNESDAY, DECEMBER 29, 2021

Board members present: Patrick Dwyer; Rod Buckley; Ben Niles; and Charles Mower (Alternate)

Board members absent: Richard Conescu; Lynn Christensen

Staff present: Robert Price, Planning & Zoning Administrator

1. Call to Order

Patrick Dwyer called the meeting to order at 7:00 p.m.

2. Roll Call

Patrick Dwyer announced that there are only 4 members of the Board present this evening and made note that a minimum of three affirmative votes is required for a motion to pass. He noted that all petitioners have the option to request continuance to the next meeting to allow for a full Board to be present before their petition is heard.

Patrick Dwyer swore in those that intended to testify. Rod Buckley read the preamble. Patrick Dwyer appointed Charles Mower to sit for Lynn Christensen.

4. Robert A. Curry & Karen J. Curry (petitioners/owners) – Variances under Section 3.02 of the Zoning Ordinance to permit the conversion of an existing single-family dwelling to a two-family dwelling in the R-1 (Residential) District whereas two-family dwellings are not permitted, and to permit a two-family dwelling, post conversion, to remain approximately 30 feet from the front property line whereas 50 feet is required (this setback variance is only necessary if the variance to permit the 2-family dwelling is granted). The parcel is located at 4 County Road (formerly 2 County Road) in the R-1 (Residential, by map) & Aquifer Conservation Districts. Tax Map 3A, Lot 65. Case # ZBA 2021-39. This item is continued from the November 17, 2021 ZBA meeting.

At the petitioner's request, the Board voted 4-0-0 to continue this item to the January 26, 2022 meeting, on a motion made by Rod Buckley and seconded by Ben Niles.

3. **Don Mendell (petitioner/owner) –** Variance under Section 3.05 of the Zoning Ordinance to permit the construction of a shed 17 ½ feet from the rear property line whereas 40 feet is required. The parcel is located at 4 Tanglewood Way in the R-4 (Residential) District. Tax Map 5C, Lot 211. Case # ZBA 2021-40.

Petitioner was represented by: Don Mendell, 4 Tanglewood Way (property owner).

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Public Comment was received from: Joseph Strigle, 109 Baboosic Lake Road.

The Board voted 4-0-0 to grant the variance, with conditions, on a motion made by Rod Buckley and seconded by Charles Mower.

4. Aaron & Angela Lavespere (petitioners/owners) – Variance under Section 3.02 of the Zoning Ordinance to permit an existing porch to remain in place with a side setback of 19 feet whereas 20 feet is required. The parcel is located at 39 Ingham Road in the R-4 (Residential) & Aquifer Conservation Districts and Wellhead Protection Area. Tax Map 3C, Lot 25-1-1. Case # ZBA 2021-41.

Petitioner was represented by: Aaron Lavespere, 39 Ingham Road (property owner).

Public Comment was received via letter from: Carolyn Frederick, 38 Ingham Road; and Keith & Lisa Wallin, 1 Aldrich Circle.

The Board voted 4-0-0 to grant the variance, with conditions, on a motion made by Rod Buckley and seconded by Ben Niles.

5. Discussion/possible action regarding other items of concern

Discussion only.

6. Approval of Minutes - November 17, 2021

The Board voted 2-0-2 to approve the minutes of November 17, 2021 as submitted, on a motion made by Bed Niles and seconded by Charles Mower. Patrick Dwyer & Rod Buckley abstained.

7. Adjourn

The Board voted 4-0-0 to adjourn at 7:25 p.m. on a motion made by Rod Buckley and seconded by Charles Mower.